

REMARKS

Applicants respectfully request reconsideration of this application as amended. Claims 25-27, 30, 35, 40, 49-52, 54-55 and 57-60 have been amended. Claims 1-24, 37-39, 53 and 56 have been cancelled without prejudice. No new claims have been added. Therefore, claims 25-36, 40-52, 54-55 and 57-60 now are presented for examination.

35 U.S.C. § 102 Rejection

Claims 25-30, 32-43 and 45-48 are rejected under 35 U.S.C. §102(b) as being anticipated by Junya U.S. Patent No. 5,469,564 (“Junya”).

Junya discloses “[a] data storage device having the capability of preventing unauthorized access to data stored therein, including a memory, e.g., a flash EEPROM” (Abstract). Junya further discloses a “comparing circuit [that] includes a digital comparator, an inverter and an *up/down counter* . . . [the] output of the comparator is applied to the up-counting terminal of the *up/down counter*” (col. 3, lines 48-59; emphasis provided).

In contrast, claim 25, in pertinent part, recites a memory device having a main memory array, an internal processor, a hidden storage area, and a bad password counter coupled with the internal processor to maintain a record of one or more invalid passwords. Junya does not disclose or reasonably suggest a bad password counter to maintain a record of invalid passwords, as recited by claim 25. Junya’s up/down counter does not maintain a record of invalid passwords and is not the same as the bad password counter, which maintains a record of invalid passwords, as recited by claim 25.

Accordingly, for at least the reasons set forth above, Applicants respectfully request the withdrawal of the rejection of claim 25 and its dependent claims.

Claims 40, 49 and 57 contain limitations similar to those of claim 25 and accordingly, Applicants respectfully request the withdrawal of the rejection of claims 40, 49 and 57 and their dependent claims.

35 U.S.C. § 103 Rejection

Claims 31, 44 and 49-60 are rejected under 35 U.S.C. §103(a) as being anticipated over Junya.

Claims 31, 44, 49-56 and 58-60 depend for one of claims 25, 40, 49 and 57 and thus include the limitations of the independent claim from which they depend. While, claim 57 contains limitations similar to those of claim 25 discussed above. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 31, 44 and 49-60.

Conclusion

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

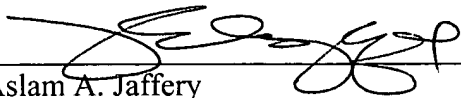
Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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